

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN T. LANDIN,

Plaintiff,

v.

BILL DORAN,

Defendant.

Case No. C02-01141RSM

ORDER ADOPTING REPORT  
AND RECOMMENDATION

The Court has reviewed defendant's motion for summary judgment, the response, and the remainder of the record including the Report and Recommendation of the Honorable Magistrate Judge Karen. L. Strombom and objections thereto.

It is hereby **ORDERED**:

1. The Report and Recommendation is APPROVED and ADOPTED, and this action is re-designated as a habeas corpus petition filed pursuant to 28 U.S.C. §2254.
2. Counsel for petitioner, Mr. James E. Lobsenz, is directed to file an amended petition which names a proper respondent within 45 days of the filing of this order.
3. The Clerk's office is directed to send copies of this order to counsel and to note the due date for the petition on Magistrate Judge Strombom's calendar. The case is re-referred to her.

Dated this 10<sup>th</sup> day of 2005.

/s/ Ricardo S. Martinez  
RICARDO S. MARTINEZ  
United States District Court Judge